

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

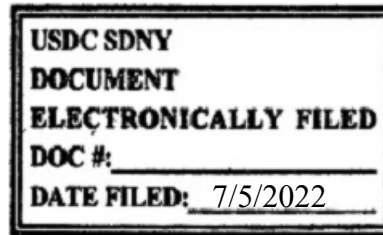
STEPHANIA RUIZ GUEVARA and
SANDRA HERAS, on behalf of themselves,
FLSA Collective Plaintiffs and the Class,

Plaintiffs,

-against-

FINE & RARE OPERATIONS LLC d/b/a
FINE & RARE, FLATIRON ROOM
OPERATIONS LLC d/b/a THE FLATIRON
ROOM, GOODNIGHT GROUP LLC, and
THOMAS TARDIE,

Defendants.



20-CV-5330 (BCM)

ORDER

BARBARA MOSES, United States Magistrate Judge.

For the reasons stated on the record during today's conference, it is hereby ORDERED
that:

1. Discovery Deadlines and Limitations
 - a. Defendants shall produce any outstanding document discovery regarding the opt-in plaintiffs, as well as any outstanding document discovery within the scope of this Court's Order dated January 10, 2022 (Dkt. No. 85), no later than **July 22, 2022**.
 - b. All remaining fact discovery, including fact depositions, shall be completed no later than **August 16, 2022**. No further extensions of the fact discovery deadline will be granted absent compelling circumstances.
 - c. Depositions of opt-in plaintiffs will be limited to one half-day (3.5 hours) per plaintiff.
 - d. Plaintiffs may resume the depositions of Thomas Tardie and Dasha Naymon, limited to 2 hours of questioning per witness. The scope of the questioning shall conform to the Court's oral ruling during today's conference. Because counsel for both sides conducted themselves poorly during the initial depositions of these witnesses (*see* Dkt. No. 106 at 2 n.1), an award of expenses to plaintiffs would be unjust. *See* Fed. R. Civ. P. 37(a)(5)(A)(iii). Consequently, no sanctions will be assessed.

- e. Except to the extent set forth above, plaintiffs' motion for discovery relief (Dkt. No. 105) and defendants' motion to adjourn deadlines (Dkt. No. 112) are DENIED.

2. Motion Deadlines

- a. Class Certification. Plaintiffs may move to certify a class pursuant to Fed. R. Civ. P. 23 no later than **August 31, 2022**. Plaintiffs' request to file an overlength brief (Dkt. No. 109) is DENIED without prejudice to renewal at the time the motion is filed.
- b. Summary Judgment. Summary judgment motions, if any, shall be filed no later than **30 days after decision on the class certification motion**.
- c. Joint Pretrial Order. The parties' proposed joint pretrial order shall be filed no later than **30 days after decision on the class certification motion**, unless there are summary judgment motions, in which case the joint pretrial order shall be filed no later than **30 days after the decision on the motion(s)**.

The Clerk of Court is respectfully directed to close the motions at Dkt. Nos. 105, 109, and 112.

Dated: New York, New York
July 5, 2022

SO ORDERED.



BARBARA MOSES
United States Magistrate Judge